

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID VARGAS,

and

ROY GOMEZ,

Defendants.

Case No. 24-00543-06/07-CR-H-KPE

NOTICE OF INTENT NOT TO SEEK THE DEATH PENALTY

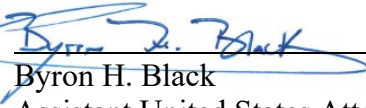
The United States of America, by and through its undersigned attorneys, hereby notifies the Court and the parties that it has elected not to seek the punishment of death against defendants **DAVID VARGAS** and **ROY GOMEZ** for the capital crimes charged in the Superseding Indictment filed in the above-captioned matter on April 10, 2025. (D.E. 252.) Specifically, the Government elects not to seek the punishment of death as to **DAVID VARGAS** and **ROY GOMEZ** for the following offenses charged in the Superseding Indictment returned on April 10, 2025:

1. Count Five, charging **ROY GOMEZ** with using, carrying, brandishing, discharging, and possessing a firearm during and in relation to a crime of violence resulting in death, in violation of 18 U.S.C. §§ 924(j) and 2;
2. Count Six, charging **DAVID VARGAS** with murder in aid of racketeering activity, in violation of 18 U.S.C. §§ 1959(a)(1) and 2; and

3. Count Seven, charging **DAVID VARGAS** with using, carrying, brandishing, discharging, and possessing a firearm during and in relation to a crime of violence resulting in death, in violation of 18 U.S.C. §§ 924(j) and 2.

NICHOLAS J. GANJEI
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By


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on August 13, 2025, to the CM-ECF system of the United States District Court for the Southern District of Texas for electronic delivery to all counsel of record.


Byron H. Black
Assistant United States Attorney